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TAGS: MARR MOPS PREL EAIR PTER EI

SUBJECT: GOI OPEN TO INFORMATION EXCHANGE ON SHANNON MILAIR TRANSITS

REF: DUBLIN 1020

Classified By: Deputy Chief of Mission Jonathan Benton; Reasons 1.4 (B) and (D).

¶1. (C) This is an action request. See para 5.

¶2. (C) As a follow-up to Post's September August 30 meeting with the Department of Foreign Affairs (DFA) regarding emerging constraints on U.S. milair transits at Shannon Airport (reftel), DATT, pol/econ chief, and poloff met with Irish Department of Transport officials on September 13 to discuss Ireland's expansive interpretation of munitions of war and notification requirements for military materiel shipments. DATT noted the history of bilateral cooperation on U.S. military access to Shannon, and he observed that the USG had taken quick corrective action when commercial contract carriers had previously transshipped materiel without adhering to Irish notification guidelines. He observed, however, that recently more cumbersome notification requirements might edge Shannon closer to a "tipping point" in terms of the difficulty of processing U.S. milair transits. He recognized Ireland's right to interpret munitions of war in its own way, but pointed out that items now under discussion as possibly requiring notification, such as wheeled vehicles and machine components, would not fall within the international norm. Citing Russian materiel shipments to Venezuela, DATT also conveyed concerns as to whether Irish notification requirements would apply uniformly to all countries that transshipped military items.

¶3. (C) The Irish Government was open to information exchanges with USG agencies as part of its review of military transits at Shannon, responded Robin McKay, Department of Transport Principal Officer for Aviation Regulations and International Relations. McKay said that the Government had undertaken the review largely because U.S. commercial contract carriers had, without notification, shipped items through Shannon in recent months that would normally count as munitions of war, such as the February shipment of Apache helicopters to Israel. The review aimed to flesh out the full scope of military materiel passing through Shannon, and Transport Department officials would, in the interim, interpret munitions of war more broadly "to be on the safe side." McKay stressed nonetheless that the long-standing Irish policy of permitting U.S. access to Shannon was not subject to reversal, even though public opposition to U.S. actions in Iraq and the Middle East had made the political context for the policy more sensitive. He added that Ireland was generally more flexible in its notification guidelines than other EU Member States, as seen in Ireland's relatively

short 48-hour notice requirement.

¶4. (C) McKay said that the Irish Government was willing to work with the USG in the course of the review, and he asked whether U.S. Defense Department officials could provide a standard list of items that the USG would categorize as munitions of war. This form of exchange would help to determine the extent to which the two sides could agree on items requiring notification and the exemptions needed for non-agreed items. McKay also asked whether the U.S. side could share the Ireland section of the U.S. Defense Department's Foreign Clearance Guide, with a view to possible Irish input into the instructions for contract carriers regarding Shannon transits. He added that the review would likely be completed by late October, though not necessarily with re-published notification guidelines as an end result. He noted that no final conclusions had been reached in this regard and that current normal exemptions were being granted, with the Transport Department not being more restrictive in this regard. DATT replied that he would sound out TRANSCOM and USG agencies on the possibility of an information exchange.

¶5. (C) Action request: In the interests of ensuring continued U.S. milair transits at Shannon on the basis of reasonable and mutually acceptable notification requirements, Post asks that TRANSCOM and other involved Defense agencies consider positively McKay's suggestions for an information exchange. DATT intends to forward these suggestions separately through appropriate Defense Department channels.

KENNY